

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35861

CALIFORNIA HIGH-SPEED RAIL AUTHORITY—PETITION FOR DECLARATORY
ORDER

Decided: November 10, 2014

On October 9, 2014, the California High-Speed Rail Authority (the Authority) filed a petition requesting that the Board issue a declaratory order regarding the availability of injunctive remedies under the California Environmental Quality Act to prevent or delay construction of an approximately 114-mile high-speed passenger rail line between Fresno and Bakersfield, Cal. On October 17, 2014, the Board instituted a declaratory order proceeding to consider the issues raised in the Authority's petition and provided that interested parties could file substantive comments by November 6, 2014.

The Board has received inquiries concerning the service requirements for individual private citizens that submitted comments in this declaratory order proceeding. The Board is interested in encouraging public participation by all interested persons in this proceeding. To facilitate the involvement of individual private citizens, the service requirements of 49 C.F.R. § 1104.12(a), which require every document filed with the Board to be served upon all parties to the proceeding, will be waived for individual private citizens who file comments in this proceeding.¹ Thus, filings made by individual private citizens will be included in the public record of this proceeding (and posted on the Board's website) regardless of whether the filings comply with the service requirements of § 1104.12(a). All other parties of record, including citizen organizations, are expected to comply with the Board's service requirements and serve all parties of record listed on the Board's service list for this proceeding.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ See Cal. High-Speed Rail Auth.—Constr. Exemption—in Fresno, Kings, Tulare, & Kern Cntys., Cal., FD 35724 (Sub-No. 1) (STB served Dec. 20, 2013) (making the same waiver in a related docket); Cal. High-Speed Rail Auth.—Constr. Exemption—in Merced, Madera, & Fresno Cntys., Cal., FD 35724 (STB served May 14, 2013).

It is ordered:

1. The service requirements under 49 C.F.R. § 1104.12(a) are waived for individual private citizens participating in this proceeding.

2. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.